

### **REMARKS**

In response to the Office Action mailed August 4, 2010, Applicant respectfully requests reconsideration. To further the prosecution of this application, each of the rejections set forth in the Office Action has been carefully considered and is addressed below. The claims as presented are believed to be in condition for allowance.

Claims 1-6 were previously pending in this application. Claim 7 is added. No claims are amended or cancelled. As a result, claims 1-7 are pending for examination, with claims 1, 6 and 7 being independent. No new matter has been added.

#### **Claim Rejections Under 35 U.S.C. §102**

Each of independent claims 1 and 6 stands rejected under 35 U.S.C. 102(b) as purportedly being anticipated by Japanese Patent Application Serial No. 406083296 to Aoyanagi ("Aoyanagi"). As presented herein, each of independent claims 1 and 6 patentably distinguishes over Aoyanagi.

##### **A. Rejection Of Independent Claim 1**

Amended claim 1 recites an information-providing apparatus comprising, *inter alia*, vibration detecting means detecting vibration of not smaller than a static, predetermined level produced on image display means, the predetermined level being greater than an absence of vibration, and sending a detection output signal when said vibration is greater than said predetermined level. An operation control means is for modifying a display mode of information, from a first display mode to a second display mode, when receipt of said detection output signal over a predetermined duration of positive length indicates that the vibration of greater than said predetermined level produced on said image display means sustains over the predetermined duration; and modifying the display mode of the information from the second display mode to the first display mode when an absence of output of said detection output signal is detected over a predetermined duration of positive length.

Claim 1 patentably distinguishes over Aoyanagi, as Aoyanagi does not disclose or suggest vibration detecting means detecting vibration of not smaller than a static, predetermined level produced on image display means, the predetermined level being greater than an absence of vibration, as recited by claim 1. Aoyanagi thus necessarily does not disclose or suggest sending a detection output signal when said vibration is greater than said predetermined level, as recited by claim 1.

Aoyanagi discloses an in-vehicle video display device in which the position of a graphical display is moved to offset displacement caused by vibration (§[0006]). The device compares the position of the graphical display on a frame-by-frame basis to identify whether any displacement has occurred (§[0008]). If any displacement is detected, the position of the graphical display is shifted along the x and/or y axis to offset the displacement (§[0009]). Thus, the Aoyanagi system detects only whether vibration is zero or non-zero, and if non-zero it counteracts the effect of the vibration on a graphical display (§[0009]).

In a passage of Aoyanagi that is cited by the Office Action as purportedly satisfying the limitations of previously pending claim 1 directed to detecting vibration of not smaller than a predetermined level, the predetermined level being greater than an absence of vibration (i.e., §[0017]), Aoyanagi discloses distinguishing the vibration experienced by a vehicle in which the image display device travels from the vibration experienced by the display device itself (§[0017]). The vibration experienced by the vehicle is subtracted from that which is experienced by the display device, since the operator of the vehicle is likely to be experiencing the same vibration as the vehicle (§[0017]). Since the vehicle vibration is subtracted from the image display device vibration, the Office Action contends that the image display device vibration is that which is at “not smaller than a predetermined level,” as recited by claim 1, meaning that the vehicle vibration is that which the Office Action considers to be at the “predetermined level.”

Contrary to the Office Action’s assertion, the vehicle vibration detected by the Aoyanagi system is not at a level which is predetermined, as vehicle vibration is caused by forces applied to the vehicle by the natural environment in which it operates. These forces are inherently unpredictable, so that the vibration they cause is not at a level which can be predetermined. As

such, the Office Action's contention that Aoyanagi's disclosure of detecting image display device vibration satisfies the claim 1 limitations directed to detecting vibration which is at not smaller than a predetermined level (i.e., that of vehicle vibration) is logically untenable.

Nevertheless, to advance prosecution, claim 1 is amended to recite that the level of detected vibration is not only predetermined, but also static. Even assuming for argument's sake that the vehicle vibration could be considered to be at a level that is predetermined (which Applicant does not concede), that level is not static, for the reasons discussed above.

As a result, Aoyanagi does not satisfy all of the limitations recited by claim 1. Claim 1 thus patentably distinguishes over Aoyanagi, such that rejection of claim 1 under 35 U.S.C. §102(b) as purportedly being anticipated by Aoyanagi should be withdrawn.

Claims 2-5 depend from claim 1 and are allowable for at least the same reasons.

**B. Rejection Of Independent Claim 6**

Claim 6 recites a method of providing information allowing image display of information which assists travel of a mobile object. The method comprises, *inter alia*, detecting vibration not smaller than a static, predetermined level, the predetermined level being greater than an absence of vibration, and sending a detection output signal when the vibration is not smaller than the predetermined level. A display mode of information is modified from a first display mode to a second display mode when receipt of the detection output signal over a predetermined duration of positive length indicates that the vibration of not smaller than the predetermined level sustains over the predetermined duration.

It should be appreciated from the discussion above relating to claim 1 that Aoyanagi does not disclose or suggest detecting vibration not smaller than a static, predetermined level, the predetermined level being greater than an absence of vibration, as recited by claim 6. As a result, Aoyanagi necessarily does not disclose or suggest sending a detection output signal when the vibration is not smaller than the predetermined level, as recited by claim 6.

Accordingly, claim 6 patentably distinguishes over Aoyanagi, such that rejection of claim 6 under 35 U.S.C. §102(b) as purportedly being anticipated by Aoyanagi should be withdrawn.

New Claim

Claim 7 is added. Claim 7 recites an information providing apparatus comprising, *inter alia*, a vibration detecting section that detects vibration of not smaller than a static, predetermined level produced on said image display section, said predetermined level being greater than an absence of vibration, and sending a detection output signal when said vibration is not smaller than said predetermined level. It should be appreciated from the discussion above relating to claim 1 that the prior art of record fails to disclose or suggest a vibration detecting section that detects vibration of not smaller than a static, predetermined level produced on said image display section, said predetermined level being greater than an absence of vibration, and sending a detection output signal when said vibration is not smaller than said predetermined level. As a result, claim 7 patentably distinguishes over the prior art of record. Favorable consideration is hereby requested.

**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, the Director is hereby authorized to charge any deficiency or credit any overpayment in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 23/2825, under Docket No. S1459.70115US00.

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Respectfully submitted,

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